

REMARKS

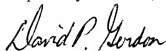
Claims 1-15 are pending. Claims 1, 12 and 15 are rejected under 35 USC 103(a) as being obvious over Isaksen et al. (U.S. Patent #6,904,098) in view of Ekvetchavit et al. (U.S. Publication #2002/0159551), and claims 2 and 13 have been rejected as being obvious over that combination in further in view of Gardner (U.S. Pub. No. 2004/0125740). Claims 1-15 have also been rejected under 35 USC 112 first paragraph because claims 1, 12, and 15 (as amended) recited a data signal carried by at least three carriers, and the Examiner believes that such a claim is not supported by the original specification.

The applicants respectfully submit that all of the claims as previously presented are supported by the specification and are allowable over the art of record. The applicants further respectfully submit that the Gardner publication is not actually prior art to the invention. However, in order to expedite allowance of this case, claims 1, 12, and 15 have been amended to remove the “at least three carrier” language (thereby overcoming the Examiner’s Section 112 rejection), and to add language from dependent claims 2 and 3 (13 and 14), which the Examiner has deemed otherwise allowable in both Office Actions. The applicants make these amendments without prejudice to filing a continuation application in order to refile the previously presented claims and further prosecute the same.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is

invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,

A handwritten signature in black ink that reads "David P. Gordon". The signature is written in a cursive, flowing style.

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April 26, 2007